

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

IN RE: COOK MEDICAL, INC.,
IVE FILTERS MARKING,
SALES PRACTICED AND
PRODUCTS LIABILITY LITIGATION MDL

1:14-ml-02570-RLY-TAB

MDL No: 2570

This Document Relates to Plaintiff(s):

ANGELA ARRINGTON, as next of kin of
ROXIE ARRINGTON

Civil Case # 1:20-cv-00990-RLY-TAB

SHORT FORM COMPLAINT

COMES NOW the Plaintiff(s) named below, and for Short Form Complaint against the Defendants named below, incorporate The Master Complaint in MDL No. 2570 by reference (Document 213).

Plaintiff(s) further show the court as follows:

1. Plaintiff's/Deceased Party:

Roxie Arrington.

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

N/A.

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

Angela Arrington as next of kin of Roxie Arrington

4. Plaintiff's/Deceased Party's state of residence at the time of implant:

Michigan.

5. Plaintiff's/Deceased Party's state of residence at the time of injury:

Michigan.

6. Plaintiff's/Deceased Party's current state of residence:

Michigan.

7. District Court and Division in which venue would be proper absent direct filing:

Eastern District of Michigan - Southern Division.

8. Defendants (Check Defendants against whom Complaint is made):



Cook Incorporated



Cook Medical LLC



William Cook Europe ApS

9. Basis of Jurisdiction:



Diversity of Citizenship



Other: _____

- a. Paragraphs in Master Complaint upon which venue and jurisdiction lie:

Paragraphs 27 and 28; Paragraphs 23, 24, 25, and 26.

- b. Other allegations of jurisdiction and venue:

N/A.

10. Defendant's Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (check applicable

Inferior Vena Cava Filters):



Günther Tulip® Vena Cava Filter



Cook Celect® Vena Cava Filter



Gunther Tulip Mreye



Cook Celect Platinum



Other: _____

11. Date of Implantation as to each product:

December 9, 2014.

12. Hospital(s) where Plaintiff was implanted (including City and State):

Beaumont Hospital; Taylor, MI.

13. Implanting Physician(s):

Mazen Bazzi, D.O.

14. Counts in the Master Complaint brought by Plaintiff(s):

- ☒ Count I: Strict Products Liability – Failure to Warn
- ☒ Count II: Strict Products Liability – Design Defect
- ☒ Count III: Negligence
- ☒ Count IV: Negligence Per Se
- ☒ Count V: Breach of Express Warranty
- ☒ Count VI: Breach of Implied Warranty
- ☒ Count VII: Violations of Applicable Michigan (insert State) Law

Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices

☐ Count VIII: Loss of Consortium

☐ Count IX: Wrongful Death

☒ Count X: Survival

☒ Count XI: Punitive Damages

☐ Other: _____ (please state the facts supporting this

Count in the space, immediately below)

☐ Other: _____ (please state the facts supporting this Count in this space, immediately below)

15. Attorney for Plaintiff(s):
Robert J. Fenstersheib.

Stuart L. Goldenberg

16. Address and bar information for Attorney for Plaintiff(s):

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Respectfully Submitted,

By: */s/ Stuart L. Goldenberg*

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